

Alabama Energy and Residential Codes Board
Thursday, October 15, 2014
Alabama Center for Commerce, Room 540

Board Members and ADECA Staff in Attendance:

- Terri Adams – ADECA Energy Division/Ex Officio Secretary of the Board
- Alan Boswell, Vice-Chairman - International Code Council
- Beth Chancey - Property and Casualty Insurance Industry
- Matthew Danner - County Commissions
- Cory Ellis - Rural Electric Cooperatives
- Greg Gilchrist – Alabama Joint Fire Council
- Heather Goggin - ADECA Energy Division/Administrator, AERC Board
- Kathy Hornsby – ADECA Energy Division
- Mark Nelson - LP Gas Board
- Shon Richey, Chairman – Private, Investor Owned Electric Utility Industry
- Linda Snapp - American Institute of Architects
- Randall Whorton - Licensed Professional Engineers

Board Members Not in Attendance:

- Representative Alan Boothe – House Member, Permanent Joint Legislative Committee on Energy Policy
- Jimmy Brothers – Municipalities
- Sam Davis - Heating & A/C Board
- Jack Reid - Home Builder's Licensure Board
- Steve Roberson - Natural Gas Industry
- Joseph Rogers - Board of General Contractors
- Jimmy Rutland - Home Builder's Association
- Sen. Cam Ward - Senate Member of the PJLCOE

Also in Attendance:

- Robert Storey – Waynes Environmental Services
- Mark Roberts – International Codes Council
- Jim Larsen – Cardinal Glass
- Amy Dzura – Southeast Energy Efficiency Alliance
- Tom Polk – City of Decatur
- Bourke Reeve – Southface
- Jason Reid – Homebuilders Association of Alabama

Chairman Shon Richey called the board meeting to order at 10:02 am. The first order of business was to approve the minutes from the July meeting. Alan Boswell moved to submit the minutes as presented, and the motion was seconded by Greg Gilchrist. The Board approved the motion unanimously.

Next, Chairman Richey asked Robert Store with Wayne's Environmental Services to discuss their proposed amendment to section R408.3.1, N1102.2.9, and N1102.2.9.1, all regarding the difficulties of doing termite inspections in spaces with spray foam insulation and no space allowed for such inspections or treatments. /// Mr. Roberson moved to accept the minutes from the April 17, 2014 AERC Board meeting. Jack Reid seconded the motion. The minutes were approved unanimously..

Chairman Richey introduced Representative Alan Boothe and Greg Gilchrist as new members of the AERC Board, representing the House membership of the Permanent Joint Legislative Committee on Energy Policy and the Joint Fire Council respectively. Rep. Boothe is filling a position left vacant following the resignation of Greg Wren, and Mr. Gilchrist is replacing Mr. Donnie West.

Before calling for subcommittee reports, Chairman Richey asked Ms. Heather Goggin to explain the Department of Energy requirements for certifying consideration of new codes. Ms. Goggin explained that while the ARRA requirements only required 90% compliance with the 2009 IECC for residential and ASHRAE 90.1-2007 for commercial by 2017, the Energy Conservation and Production Act (ECPA), as modified by the Energy Policy Act of 1992 (EPAct 1992), sets forth separate requirements. Per EPAct 1992, with each new edition of the IECC and/or ASHRAE Standard 90.1, DOE is required to perform a determination as to whether the updated edition will improve energy efficiency in residential or commercial buildings, respectively. If DOE determines that it does increase energy efficiency, each state has up to 2 years after the date of publication of the determination to certify that it has compared its residential building code regarding energy efficiency to the revised code and made a determination whether it is appropriate to revise its code to meet or exceed the provisions of the successor code. State determinations are to be made: (1) After public notice and hearing; (2) in writing; (3) based upon findings included in such determination and upon evidence presented at the hearing; and (4) available to the public. In addition, if a State determines that it is not appropriate to revise its residential building code, the State is required to submit to the Secretary, in writing, the reasons, which are to be made available to the public. In 2013, the Energy Division requested an extension until July 2014 to respond to the determinations regarding the 2012 IECC and ASHRAE 90.1-2010 because the Alabama Energy and Residential Codes did not take effect until October 1, 2012. The Energy Division has to must now submit an updated letter of certification regarding Alabama's intentions, and since the 2012 IECC and ASHRAE 90.1-2010 have not been adopted, the Energy Division recommends requesting an extension through December 31, 2015, to review and make a determination regarding the 2015 IECC and ASHRAE 90.1-2013 rather than the 2012 IECC and ASHRAE 90.1-2010. Chairman Richey then called for subcommittee reports.

Vice-Chairman Alan Boswell filled in for Buildings Subcommittee Chairman Jimmy Brothers. Vice-Chairman Boswell reported that the Buildings Subcommittee met earlier that day, and would like to recommend that the Board vote to begin consideration of the 2015 International Residential Code (IRC) and 2015 International Energy Conservation Code (IECC) in January 2015. Vice-Chairman Boswell pointed out that these codes were just released mid-June, and the

commentary versions and significant changes documents aren't yet available, and without those tools, it would be difficult for the Board to make fully educated decisions. Mr. Jack Reid, Chairman of the Energy Committee, stated that the Energy Committee had the same recommendation on the matter. Mr. Jimmy Rutland made a motion that the Board begin consideration of the 2015 IRC/IECC in January 2015 as recommended by both subcommittees; the motion was seconded by Mr. Reid. The motion passed unanimously.

Vice-Chairman Boswell then shared that both the Buildings and Energy Subcommittees discussed the possibility of declaring the 2015 IRC/IECC as not in conflict with the Alabama Energy and Residential Code as adopted at the state level. For the same reasons previously stated, both subcommittees recommended tabling this discussion until January 2015 to allow Board members to obtain the necessary information to make that determination. Mr. Reid made a motion to table the discussion, which was seconded by Mr. Rutland and passed unanimously.

With those recommendations, Chairman Richey moved to Old Business; none was presented and Chairman Richey moved to New Business. The first item under New Business was discussion of the 2015 IRC/IECC, including when to begin consideration. Per the discussion and motions made during Committee Reports, Chairman Richey reiterated the intention to begin consideration in January 2015. The next item for discussion was whether to recognize the 2015 IRC/IECC as not in conflict with currently adopted state codes. Vice-Chairman Boswell suggested that until Board members have an opportunity to fully review the new codes, no recommendation could be made. Mr. Reid made a motion that the Board table the question of whether to recognize the 2015 codes as not in conflict until at least January 2015, and Mr. Rutland seconded the motion. The Board voted unanimously to table the discussion.

Next under new business was the topic of concerns regarding low-E windows that have been brought up in North Carolina. There have been instances of low-E windows reflecting heat energy to the point of damaging siding. Mr. Mark Nelson said that he didn't think there was anything definitive in any of the information released so far. Ms. Goggin clarified that the topic was being brought up strictly for the purposes of awareness and recognition of the potential concern, not with the expectation of the Board taking action at this point. Vice-Chairman Boswell gave appreciation to Mr. Sonny Richardson, who made the Board aware of the topic, but feels that any action would be premature pending additional study and information, because it could have a very detrimental impact on the minimum requirements set forth in the codes by the federal government. It was pointed out that this would likely be a somewhat geographical concern, because of the closeness and proximity of homes to one another in some areas. The research provided so far is not conclusive, and Board members agreed that it is something to follow and to be aware of, but until more irrefutable research is completed, taking any action would be detrimental to the efforts made towards codes compliance to this point.

The Board then looked to schedule the next two meetings. The previously expected date of October 2 is a conflict for several members, as well as being during the International Code

Council's Code Hearings. The meeting was rescheduled for Wednesday, October 15, 2014. The January meeting is tentatively scheduled for January 22, 2015, but will likely change due to scheduling conflicts for several Board members.

Chairman Richey asked for any additional new business. Mr. Sam Davis asked if Ms. Goggin had received a response to a question she sent to Board members, and she said that she actually referred the question to Mr. Jeffrey Becraft with the Alabama Heating, Air Conditioning, and Refrigeration Board. Chairman Richey asked about committee appointments for new Board members. Representative Alan Boothe agreed to participate on the Energy Subcommittee, and Mr. Greg Gilchrist will participate on the Buildings Subcommittee. Next, the Homebuilders Association of Alabama offered to provide refreshments and lunch for the next meeting. Representative Boothe asked if the Board had any knowledge of recalls or fire hazard issues with CFL light bulbs, given a personal experience with a flaming/exploding bulb. Mr. Gilchrist replied that he wasn't aware of any large-scale recalls, while there have been some small-scale recalls, primarily with imported items.

Mr. Davis made a motion to adjourn the meeting, which Mr. Gilchrist seconded. The Board voted unanimously in favor, and Chairman Richey adjourned the meeting at 1:34 pm.

Approved unanimously at the April 9, 2015 Alabama Energy and Residential Codes Board meeting.

Signature

Date